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Department of Water Resources
Southern Region

Transfer No. 69149
Receipt No. S023601

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information MARIA BORBA
214 E 400 N
JEROME ID 83338
(208)324-7045
And
JOSE BORBA
214 E 400 N
JEROME ID 83338
(208)324-7045

Amended

Will this transfer result in an ownership change? ☒ Yes ☐ No

2. Current Water Right

	Origin/Basis	Rate	Volume	Acre Limit	Part 2 Attached for Each Right	
					Total Acres	Source
36-8731	WR/License	0.08	13.3			GROUND WATER
36-15665	WR/Decreed	0.04		2.7	5.0	GROUND WATER
36-15667	WR/Decreed	0.03		1.6	5.0	GROUND WATER
36-15669	WR/Decreed	0.02			5.0	GROUND WATER
37-21317	WR/Decreed	0.01	2.4		.6	GROUND WATER
37-21318	WR/Decreed	0.13	25.2		6.3	GROUND WATER

3. Purpose of Transfer (Change Proposed)

Right	Split	POD	POU	Part 3A Attached for Each Proposed Right Part 3B Attached for Each Split Right		
				Add POD	Period of Use	Nature of Use
36-8731	NO	NO	NO	YES	NO	YES
36-15665	NO	YES	YES	NO	YES	YES
36-15667	NO	YES	YES	NO	YES	YES
36-15669	NO	YES	YES	NO	YES	YES
37-21317	NO	YES	YES	NO	YES	YES
37-21318	NO	NO	NO	NO	YES	YES

Describe the reason for the proposed changes
To provide water for a dairy.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

Should be no discharge from the property.

B. Describe the effects on other water uses resulting from the proposed change

Should be none.

5. Total Amounts Transferred

	Rate	Acre Limit	Total Acres	Volume
36-8731	0.08 cfs			13.3 af
36-15665	0.04 cfs			7.3 af
36-15667	0.03 cfs			4.3 af
36-15669	0.02 cfs			1.9 af
37-21317	0.01 cfs			1.7 af
TOTAL	0.15 cfs			28.5 af

6. Right added for mitigation of affects of transfer.

37-21318	0.13 cfs	4.5	25.2 af
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7. Mitigation Plan submitted May 13, 2004 is made part of this amended application for transfer.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

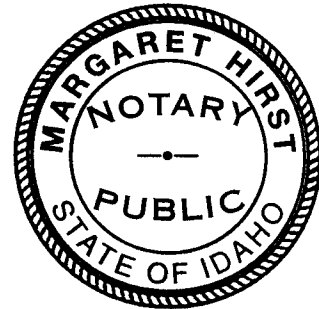
Jose H. Borla Ana Chae Borla
(Signature of Applicant)

owner
(Title or Office)

Subscribed and sworn to before me this 16 day of July, 2004.

Margaret Hirst
(Notary Public)

My commission expires January 27, 2009



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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 36-8731

Priority Date: July 13, 1994
 Origin: Water Right
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01 12/31	0.08 CFS	13.3 AFA	
	Total Diversion	0.08 CFS	13.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SESWSW Sec. 28 Twp 07S Rge 17E JEROME County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	17E	28																	

Conditions/Remarks:

- Domestic use is for a small dairy and 1 home and does not include lawn, garden, landscape, or other types of irrigation.

Documentation of Ownership of the Current Place of Use
 Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
 NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
 NA

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
 NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-15665

Priority Date: October 18, 1968
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 10/31	0.04 CFS		
	Total Diversion	0.04 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 19 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NESWNE	Sec. 30 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 22E 19				4.5									.5				5.0

Total Acres: 5

Conditions/Remarks:

1. This right is limited to the irrigation of 2.7 acres within the place of use described above in a single irrigation season.
2. Rights 36-15667 and 36-15665 when combined shall not exceed 0.04 cfs.
3. Rights 36-15667, 36-15665 and 36-15669 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use
Should be none.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
Land will be dried up.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 36-15667

Priority Date: December 03, 1966
 Origin: Water Right
 Basis: Decreed
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01 10/31	0.03 CFS		
	Total Diversion	0.03 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 19 Twp 08S Rge 22E MINIDOKA County
GROUND WATER	NESWNE	Sec. 30 Twp 08S Rge 22E MINIDOKA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S 22E 19				4.5									.5				5.0

Total Acres: 5

Conditions/Remarks:

1. This right is limited to the irrigation of 1.6 acres within the place of use described above in a single irrigation season.
2. Rights 36-15667 and 36-15665 when combined shall not exceed 0.04 cfs.
3. Rights 36-15667, 36-15665 and 36-15669 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
4. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.

5. The period of use for the irrigation described in this approval may be extended to an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of the originating approval/SRBA partial decree date.
6. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use
Should be none.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
Land will be dried up.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-15669

Priority Date: February 18, 1971
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	0.02 CFS		
	Total Diversion	0.02 CFS		

Source and Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 19 Twp 08S	Rge 22E	MINIDOKA County
GROUND WATER	NESWNE	Sec. 30 Twp 08S	Rge 22E	MINIDOKA County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	22E	19				4.5												.5	5.0

Total Acres: 5

Conditions/Remarks:

1. Rights 36-15667, 36-15665 and 36-15669 when combined shall not exceed a total diversion rate of 0.06 cfs, a total annual maximum diversion volume of 20 af at the field headgate, and the irrigation of 5 acres.
2. A measuring device of a type approved by IDWR shall be maintained as a part of the diverting works.
3. The use of water for irrigation under this right may begin as early as March 15 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

5. Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Documentation of Ownership of the Current Place of Use
Should be none.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
YES

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer
Land will be dried up.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-21317

Priority Date: January 07, 1974
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.01 CFS	2.4 AFA	
Total Diversion		0.01 CFS	2.4 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENWSE Sec. 13 Twp 06S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06S	18E	13	.6																.6

Total Acres: 0.6

Conditions/Remarks:

1. Rights 37-21264, 37-21266, 37-21316, 37-21317, 37-21318, 37-21142, 37-21144 and 37-21134 are all diverted through the point(s) of diversion described above.
2. Rights 37-21264, 37-21266, 37-21316, 37-21317, 37-21318, 37-21142, 37-21144 and 37-21134 when combined shall not exceed a total diversion rate of 3.28 cfs.
3. Rights 37-21264, 37-21316, 37-21317, and 37-21318 when combined shall not exceed a total diversion rate of 2.96 cfs, a total annual maximum diversion volume of 709.6 af at the field headgate, and the irrigation of 177.4 acres.
4. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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Documentation of Ownership of the Current Place of Use
Should be none.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 37-21318

Priority Date: January 07, 1974
Origin: Water Right
Basis: Decreed
Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/15 11/15	0.13 CFS	25.2 AFA	
	Total Diversion	0.13 CFS	25.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENWSE Sec. 13 Twp 06S Rge 18E LINCOLN County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	18E	13	6.3																6.3

Total Acres: 6.3

Conditions/Remarks:

1. Rights 37-21264, 37-21266, 37-21316, 37-21317, 37-21318, 37-21142, 37-21144 and 37-21134 are all diverted through the point(s) of diversion described above.
2. Rights 37-21264, 37-21266, 37-21316, 37-21317, 37-21318, 37-21142, 37-21144 and 37-21134 when combined shall not exceed a total diversion rate of 3.28 cfs.
3. Rights 37-21264, 37-21316, 37-21317, and 37-21318 when combined shall not exceed a total diversion rate of 2.96 cfs, a total annual maximum diversion volume of 709.6 af at the field headgate, and the irrigation of 177.4 acres.
4. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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Documentation of Ownership of the Current Place of Use
Should be none.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?
NO

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will be dried up for mitigation purposes as outlined in the mitigation plan.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?
NO

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-8731

Priority Date: July 13, 1994

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	01/01 12/31	0.08 CFS	1.8 AFA	
STOCKWATER	01/01 12/31	0.08 CFS	11.5 AFA	
Total Diversion		0.08 CFS	13.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Well and pump.

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	17E	28											X						

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
07S	17E	28											X						

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-15665

Priority Date: October 18, 1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.04 CFS	7.3 AFA	Dairy
STOCKWATER	01/01 12/31	0.04 CFS	7.3 AFA	
Total Diversion		0.04 CFS	7.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Well and pump.

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 17E 28											X						
07S 17E 33							X										

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 17E 28											X						

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-15667

Priority Date: December 03, 1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	01/01 12/31	0.03 CFS	4.3 AFA	Dairy
STOCKWATER	01/01 12/31	0.03 CFS	4.3 AFA	
Total Diversion		0.03 CFS	4.3 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Well and pump.

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 17E 28											X						
07S 17E 33						X											

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 17E 28											X						

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 36-15669

Priority Date: February 18, 1971

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
STOCKWATER	01/01 12/31	0.02 CFS	1.9 AFA	
COMMERCIAL	01/01 12/31	0.02 CFS	1.9 AFA	Dairy
Total Diversion		0.02 CFS	1.9 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

GROUND WATER SWSW Sec. 28 Twp 07S Rge 17E JEROME County

Describe the proposed diversion system

Point of Diversion # 1 Well and pump.

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 17E 28											X						

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 17E 28											X						
07S 17E 33						X											

Proposed Water Right No. 37-21317

Source: GROUND WATER

Source and Point(s) of Diversion:

Describe the proposed diversion system

Point of Diversion # 1 Well and pump.

PLACE OF USE: COMMERCIAL

PLACE OF USE: STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
07S	17E	28	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
												X							

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**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 37-21318

Priority Date: January 07, 1974

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
MITIGATION	01/01 12/31	0.13 CFS	25.2 AFA	
IRRIGATION	03/15 11/15	0.08 CFS	18.0 AFA	
Total Diversion		0.13 CFS	25.2 AFA	

Source and Point(s) of Diversion:

GROUND WATER NENWSE Sec. 13 Twp 06S Rge 18E LINCOLN County

Describe the proposed diversion system

PLACE OF USE: MITIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	18E	13	X																

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S	18E	13	4.5																4.5

Total Acres: 4.5

IDAHO WATER COMPANY
AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this 9/4/03 by and between Del Kohtz Idaho Water Company (hereinafter "Seller") and Barba Dairy hereinafter ("Buyer"). The seller, Del Kohtz discloses that he is a licensed real estate agent acting herein as principal for his own account and not representing or acting as an agent for the buyer.

TERMS AND CONDITIONS

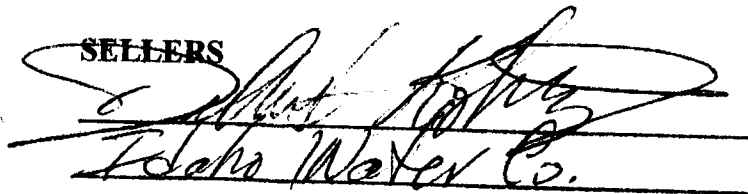
1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyer does hereby agree to buy from the Sellers 6.85 ^{acres} ~~feet~~ consumptive of Idaho Water Right #37-7331 and the water appurtenant thereto, for \$ per acre foot consumptive or 70 per acre.
2. The total purchase price shall be \$. The entire purchase price shall be paid on the closing date described in paragraph 5 below, less 15% finders fee and down payment paid at signing. Payment of \$ 1877.50 paid at signing. DK
3. This Agreement for Purchase and Sale of said license is contingent upon and subject to approval of the application for transfer by the Department of Water Resources. If the application is not approved, this Agreement shall become null and void.
4. The closing of this transaction and delivery of the executed Assignment to Buyer and the entire purchase price for each contract to Seller shall take place at the law offices of Ling, and Robinson, 615 H Street, Rupert, Idaho, within thirty days of Buyers receipt of approval from the Department of the application for transfer.
5. The Buyers shall be given possession and use of the water right and the water appurtenant thereto, upon closing.

6. This transfer will remain in the name of Idaho Water Co. until the contract is closed and paid for by the buyer. The buyers place of use and point of diversion will be used for the transfer. When the contract is closed the change of ownership form signed by Idaho Water Co. at the signing of this contract will be turned over to the buyer. The change of ownership will be held in escrow until the closing.
7. In the event of any suit proceeding by either party against the other party, in any way arising out of this agreement, the prevailing party shall be awarded their reasonable attorney fees and costs.
8. Each party agrees to pay one-half of any costs incurred in executing this document. These costs shall not be more than \$150.00 each.
9. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.
10. Buyer understands that if Kohtz is not at fault for the failure of his transfer due to protests or other factors beyond Kohtz' control, Kohtz shall charge an hourly fee of \$50.00 for the preparation and presentation of the application for transfer. This includes travel time and attendance of hearings on buyer's behalf. These monies will come out of the finder's fee charged at signing. If transfer is accomplished no hourly fee will be charged. If Kohtz fails to accomplish the desired transfer with this or other water rights the upfront money will be refunded. Buyer understands that attorney and consultant fees authorized by buyer in the case of protests and hearings on their water transfer are to be paid by the Buyer.
11. Del Kohtz has my permission to make needed changes to the Water transfer application that is the result of this contract to facilitate the process of transferring the water. The changes made will not materially change the amount of money buyer has to pay, or the amount of water buyer receives.
12. Kohtz (Idaho Water Company) has no control over the amount of mitigation or writedown IDWR will require of Buyers particular transfer therefore the amount Buyer pays is based on the amount of water transferred out of the original Water Right.

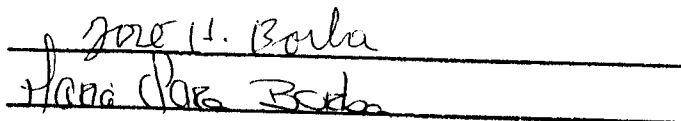
OTHER PROVISIONS

IN WITNESS WHEREOF the parties have caused their names to be subscribed
on the dates set forth above.

SELLERS


Idaho Water Co.

BUYERS


Hana Clara Borla

Pd \$1,500.00 10/1/03

IDAHO WATER COMPANY

1135 Valley Road South

Eden, Idaho 83325

(208) 825-5617

Cells 410-0438 or 431-5617

OPTION AGREEMENT FOR PURCHASE AND SALE OF WATER RIGHT

THIS AGREEMENT is made and entered into this April 3, 2003

by and between Rona Bonnit Beckley
(hereinafter "Seller") and Del Kohtz hereinafter "Buyer").

The buyer, Del Kohtz discloses that he is a licensed real estate agent acting herein as principal for his own account and not representing or acting as an agent for the buyer.

TERMS AND CONDITIONS

1. The Sellers, in consideration of the terms contained herein, do hereby contract and agree to sell and convey to the Buyers and the Buyer does hereby agree to buy from the Sellers Idaho Water Right 37-7331 and the water appurtenant thereto, for \$1 ^m per acre. and not included

2. The total purchase price shall be the entire purchase price shall be paid on the closing dates described in paragraph 4 below.

3. This Agreement for Purchase and Sale of said license is contingent upon and subject to the IDWR finding that the Water Right is valid and transferable. If the Water Right is invalid or non-transferable, this Agreement shall become null and void.

4. The Buyer desires to buy the personal property, the Water Rights, in separate tracts in order as agreed upon by both parties. Each transfer will be closed separately as they are paid for. This contract will be the standard contract and price for each transfer. The Buyers shall be given possession and use of the portion of the water right and the water appurtenant thereto, upon the closing of each transfer.

The remaining Water Rights shall remain the property of the seller until they are paid for and so forth until the entire Water Right is sold.

5. In the event of any suit or proceeding by either party against the other party, in any way arising out of this agreement the prevailing party shall be awarded their reasonable attorney fees and costs.

6. Option: Seller understands Buyer is transferring the water appurtenant to Sellers property to another property. Buyer shall have 365 days from the date of signing this contract to complete and close the transfers. If IDWR has not completed the transfers by the end of the option period the contract may be extended by the Buyer to complete the transfers by paying interest of 4.5 % on the unpaid balance.

7. This agreement shall be binding upon and shall inure to the benefit of the heirs, personal representatives, administrators, successors and assigns to the parties hereto.

OTHER PROVISIONS

All water will not change title until
paid for. Water will be paid for before
Norri Resources puts the transfer in the
data base

IN WITNESS WHEREOF have caused their names to be subscribed on the dates set

forth above. PENDING FSA
APPROVAL

R. B. Beckley
Bonnie Beckley

Seller

[Signature]
Buyer